

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Docket No: **Q101072**
Yumiko UNO et al Conf. No.: **8263**
Appln. No.: **10/501,566** Group Art Unit: **1647**
Filed: **July 15, 2004** Examiner: **Lockard, Jon**
For: **NOVEL PROTEINS AND DNAS THEREOF**

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants thank the Examiner for the interview conducted on April 2, 2009. Please review and enter the following remarks summarizing the interview:

REMARKS

According to the Examiner, an Examiner's Interview Summary Record (PTO-413) will be prepared based on the above mentioned interview.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None.
2. Identification of claims discussed: Claim 20.
3. Identification of art discussed: The information contained in state of the art

references, including:

Rothman et al., *Synapse*, 33:239-246 (1999);
Tollefson et al., *Bioorganic & Medicinal Chemistry Letters*, 10:277-279 (2000);
Graves et al., *J. Biochem. Biophys. Methods*, 34:177-187 (1997);
Bangham et al., *J. Mol Biol.*, 13,238-252 (1965);
Papahadjopoulos et al., *Biochim. Biophys. Acta.*, 13,624-638(1968);

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Cullis et al., PCT Application No. Wo 86/00238, published Jan. 16, 1986;
Lenk et al., U.S. Pat. No. 4,522,803;
Fountain, et al., U.S. Pat. No. 4,588,578;
Bally et al., PCT Publication No. 87/00043 (published Jan. 15, 1987);
Janoff et al., U.S. Pat. Nos. 5,041,287, 5,231,112 and 5,330,689;
Tomioka et al., J. of Immunological Methods, Vol. 176 (1994);
Cole, U.S. Pat. No. 4,483,921;
Wagner et al., U.S. Pat. No. 4,978,625;
Gibbons et al., U.S. Pat. No. 5,068,198;
Hosoda et al., U.S. Pat. No. 5,173,406;
Kida et al., U.S. Pat. No. 5,221,613; and
Malick et al., U.S. Pat. No. 5,620,903.

4. Identification of principal proposed amendments: Possible addition of "lipid bilayer."
5. Brief identification of principal arguments: Applicants asserted there was literal support for "substrate" in the specification and directed the Examiner to several locations in the specification and therefore requested withdrawal of the rejection; regarding the lack of enablement rejection, Applicants indicated the art was mature and, when taken into consideration in view of Applicants' extensive teachings in the specification the rejection was improper and should be withdrawn.
6. Indication of other pertinent matters discussed: Applicants pointed out that the Office Action should be withdrawn or, at least, made non-final per MPEP §§ 706.07 and 904.03 because the specification, claims and art were not duly considered in making both rejections.
7. Results of Interview: The Examiner recommended filing of an RCE and discussed amending claim 20 to include a lipid bilayer.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

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It is believed that no petition or fee is required. However, if the U.S. Patent and Trademark Office deems otherwise, Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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WASHINGTON OFFICE

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CUSTOMER NUMBER

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